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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1115/97
of 19 June 1997**

amending Regulation (EEC) No 584/92 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3296/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part⁽³⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3297/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round of Multilateral Trade Negotia-

tions⁽⁵⁾, as last amended by Regulation (EC) No 2490/96⁽⁶⁾, and in particular Article 8 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 584/92⁽⁷⁾, as last amended by Regulation (EC) No 993/97⁽⁸⁾, stipulates that licence applications may only be lodged in the first 10 days of each quarter;

Whereas, in order to permit the application from 1 July 1997 of the results of the negotiations on the Additional Protocols to the Europe Agreements as regards the agricultural sector, in anticipation of the entry into force of the Additional Protocols themselves, Regulation (EC) No 3066/95 should be amended; whereas the Council is unlikely to have decided on the proposed amendment before 1 July 1997; whereas, therefore, because of the exceptional circumstances and in order to guarantee proper administration of the arrangements, the period for the lodging of licence applications for the third quarter of 1997 should be put back by 15 days;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (1) of Regulation (EEC) No 584/92, the last subparagraph is replaced by the following:

‘However, for the three months from 1 July to 30 September 1997, licence applications may only be lodged during a period of 10 days commencing on 15 July.’

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ No L 341, 30. 12. 1994, p. 14.

⁽⁴⁾ OJ No L 341, 30. 12. 1994, p. 17.

⁽⁵⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽⁶⁾ OJ No L 338, 28. 12. 1996, p. 13.

⁽⁷⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁸⁾ OJ No L 143, 3. 6. 1997, p. 6.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1116/97
of 19 June 1997**

**on the sale by tender of beef held by certain intervention agencies and intended
for processing within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 2222/96⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender with a view to being processed within the Community;

Whereas in the light of the prevailing market circumstances it is appropriate to restrict the list of the eligible finished products to such products which besides beef also contain pork provided that the proportion of pork vis-à-vis beef is significantly reduced;

Whereas the sale should be made subject to the rules laid down by Commission Regulations (EEC) No 2173/79⁽³⁾, as last amended by Regulation (EC) No 2417/95⁽⁴⁾, (EEC) No 3002/92⁽⁵⁾, as last amended by Regulation (EC) No 770/96⁽⁶⁾ and (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8 (1) of Regulation (EEC) No 2173/79; whereas these measures must be applied as quickly as possible;

Whereas it seems appropriate to provide for derogations from provisions of Article 8 (2) (b) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this subparagraph raises in the Member States concerned;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 1 000 tonnes of bone-in forequarters held by the German intervention agency,
- approximately 500 tonnes of bone-in forequarters held by the Austrian intervention agency,
- approximately 500 tonnes of bone-in forequarters held by the Belgium intervention agency,
- approximately 500 tonnes of bone-in forequarters held by the French intervention agency,
- approximately 500 tonnes of bone-in forequarters held by the Italian intervention agency,
- approximately 500 tonnes of bone-in forequarters held by the Dutch intervention agency,
- approximately 100 tonnes of bone-in forequarters held by the Swedish intervention agency,
- approximately 35 tonnes of bone-in forequarters held by the Finnish intervention agency,
- approximately 1 500 tonnes of boneless beef held by the Irish intervention agency,
- approximately 1 500 tonnes of boneless beef held by the Danish intervention agency,
- approximately 1 500 tonnes of boneless beef held by the French intervention agency,
- approximately 1 500 tonnes of boneless beef held by the United Kingdom intervention agency,
- approximately 230 tonnes of boneless beef held by the Spanish intervention agency.

Detailed information concerning the boneless beef is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Articles 6 to 12 thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

Article 2

1. The deadlines for submitting tenders, which must be made out in ecus, shall be 12 noon on 24 June 1997.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 296, 21. 11. 1996, p. 50.

⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ No L 248, 14. 10. 1995, p. 39.

⁽⁵⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁶⁾ OJ No L 104, 27. 4. 1996, p. 13.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
 - (b) the deadline and place for submitting tenders.
2. For forequarters and for each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest.
 3. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and the Annexes to this Regulation shall serve as a general notice of invitation to tender.
 4. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies will, moreover, display the notice referred to in paragraph 1 at their head office and may also publish them elsewhere.
 5. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 1.
 6. By way of derogation from Article 8 (2) (b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide information on the offers received to the Commission at the latest on the day following the deadline for submitting tenders.
2. After the offers received have been examined a minimum selling price shall be fixed for each product or the sale will not be proceeded with.

Article 4

1. A tender shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing pork and who is entered in a national VAT register.
2. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender must be accompanied by:
 - a written undertaking by the applicant to process the meat purchased into products specified in Article 5

within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,

- a precise indication of the establishment or establishments where the purchased meat will be processed.

3. The applicants referred to in paragraph 1 may in writing instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders of the purchasers whom he represents together with the written instruction referred to above.

4. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 5

Meat purchased under this Regulation must be manufactured into processed products containing both beef and pork. Furthermore, proof must be provided to the satisfaction of the competent authority of the Member State in which processing takes place that the composition of the processed product concerned has been modified compared with the composition prior to the date of contract of sale leading to a reduction of the pork content of at least 10 percent and a corresponding increase of the beef content, such that the increased quantity of beef used is at least equivalent to the reduction in the quantity of pork used.

Article 6

Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed into the products specified in Article 5.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the purchased meat through appropriate production records.

Upon technical verification of the production method by the competent authority, to the extent necessary, allowance may be taken for drip losses and trimmings.

Article 7

1. The security provided for in Article 15 (1) of Regulation (EEC) No 2173/79 shall be ECU 12 per 100 kilograms.

2. The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be:

- for bone-in forequarters the difference in ECU between the price offered per tonne and ECU 1 700,
- for boneless beef the difference in ECU between the price offered per tonne and ECU 2 400.

Article 8

By way of derogation from Article 9 of Regulation (EEC) No 2182/77, in addition to the entries laid down in Regulation (EEC) No 3002/92:

- Section 104 of T 5 control copies must be completed with one or more of the following:
 - Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 1116/97]
 - Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1116/97)
 - Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 1116/97)

— Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1116/97]

— For processing (Regulations (EEC) No 2182/77 and (EC) No 1116/97)

— Destinés à la transformation [règlement (CEE) n° 2182/77 et (CE) n° 1116/97]

— Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 1116/97]

— Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1116/97)

— Para transformação [Regulamentos (CEE) n° 2182/77 e (CE) n° 1116/97]

— Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 1116/97)

— För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1116/97)

- Section 106 of T 5 control copies must be completed with the date of conclusion of the contract of sale.

Article 9

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos	Cantidad aproximada (toneladas)
Medlemsstat	Produkter	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products	Approximate quantity (tonnes)
État membre	Produits	Quantité approximative (tonnes)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)
Estado-membro	Produtos	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)

Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Οπίσθια τέταρτα με κόκαλα — Boneless beef — Viande désossée —
Carne senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött⁽¹⁾

Danmark	Interventionsskank (INT 11)	300
	Interventionsskank (INT 21)	300
	Interventionsbov (INT 22)	300
	Interventionsbryst (INT 23)	300
	Interventionsforfjerding (INT 24)	300
France	Jarret arrière d'intervention (INT 11)	300
	Jarret avant d'intervention (INT 21)	300
	Épaule d'intervention (INT 22)	300
	Poitrine d'intervention (INT 23)	300
	Avant d'intervention (INT 24)	300
United Kingdom	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	300
	Intervention shoulder (INT 22)	300
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	300
Ireland	Intervention shank (INT 11)	300
	Intervention shin (INT 21)	300
	Intervention shoulder (INT 22)	300
	Intervention brisket (INT 23)	300
	Intervention forequarter (INT 24)	300
España	Jarrete de intervención (INT 11)	9
	Morcillo de intervención (INT 21)	15
	Paleta de intervención (INT 22)	75
	Pecho de intervención (INT 23)	45
	Cuarto delantero de intervención (INT 24)	86

⁽¹⁾ Véase el Anexo VII del Reglamento (CEE) n° 2453/93 (DO n° L 225 de 4. 9. 1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2368/96 (DO n° L 323 de 13. 12. 1996, p. 6).

⁽²⁾ Se bilag VII til forordning (EØF) nr. 2453/93 (EFT nr. L 225 af 4. 9. 1993, s. 4), senest ændret ved forordning (EF) nr. 2368/96 (EFT nr. L 323 af 13. 12. 1996, s. 6).

⁽³⁾ Vgl. Anhang VII der Verordnung (EWG) Nr. 2453/93 (ABl. Nr. L 225 vom 4. 9. 1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2368/96 (ABl. Nr. L 323 vom 13. 12. 1996, S. 6).

⁽⁴⁾ Βλέπε παράρτημα VII του κανονισμού (ΕΟΚ) αριθ. 2453/93 (ΕΕ αριθ. L 225 της 4. 9. 1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2368/96 (ΕΕ αριθ. L 323 της 13. 12. 1996, σ. 6).

⁽⁵⁾ See Annex VII to Regulation (EEC) No 2453/93 (OJ No L 225, 4. 9. 1993, p. 4), as last amended by Regulation (EC) No 2368/96 (OJ No L 323, 13. 12. 1996, p. 6).

⁽⁶⁾ Voir annexe VII du règlement (CEE) n° 2453/93 (JO n° L 225 du 4. 9. 1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2368/96 (JO n° L 323 du 13. 12. 1996, p. 6).

⁽⁷⁾ Cfr. allegato VII del regolamento (CEE) n. 2453/93 (GU n. L 225 del 4. 9. 1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2368/96 (GU n. L 323 del 13. 12. 1996, pag. 6).

⁽⁸⁾ Zie bijlage VII van Verordening (EEG) nr. 2453/93 (PB nr. L 225 van 4. 9. 1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2368/96 (PB nr. L 323 van 13. 12. 1996, blz. 6).

⁽⁹⁾ Ver anexo VII do Regulamento (CEE) n° 2453/93 (JO n° L 225 de 4. 9. 1993, p. 4), com a última redacção que lhe foi dada pelo Regulamento (CE) n° 2368/96 (JO n° L 323 de 13. 12. 1996, p. 6).

⁽¹⁰⁾ Katso asetuksen (ETY) N:o 2453/93 (EYVL N:o L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2368/96 (EYVL N:o L 323, 13.12.1996, s. 6) liite VII.

⁽¹¹⁾ Se bilaga VII i förordning (EEG) nr 2453/93 (EGT nr L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2368/96 (EGT nr L 323, 13.12.1996, s. 6).

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II — LIITE II — BILAGA II*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

BELGIQUE/BELGIË:

Bureau d'intervention et de restitution belge
Rue de Trèves 82
B-1040 Bruxelles
Belgisch Interventie- en Restitutiebureau
Trierstraat 82
B-1040 Brussel
Téléphone: (32 2) 287 24 11; télex: BIRB. BRUB/24076-65567; télécopieur: (32 2) 230 2533/280 03 07

BUNDESREPUBLIK DEUTSCHLAND:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Postfach 180203, D-60083 Frankfurt am Main
Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (49) 69 1564-704/755; Telex: 411727; Telefax: (49) 69 15 64-790/791

DANMARK:

Ministeriet for Fødevarer, Landbrug og Fiskeri
EU-direktoratet
Kampmannsgade 3
DK-1780 København V
Tlf. (45) 33 92 70 00; telex 151317 DK; fax (45) 33 92 69 48, (45) 33 92 69 23

ESPAÑA:

FEGA (Fondo Español de Garantía Agraria)
Calle Beneficencia, 8
E-28005 Madrid
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OFIVAL
80, avenue des Terroirs-de-France
F-75607 Paris Cedex 12
Téléphone: (33 1) 44 68 50 00; télex: 215330; télécopieur: (33 1) 44 68 52 33

ITALIA:

AIMA (Azienda di Stato per gli interventi nel mercato agricolo)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91; Telex 61 30 03; telefax: 445 39 40/445 19 58

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Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
IRL-Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

NEDERLAND:

Ministerie van Landbouw, Natuurbeheer en Visserij, Voedselvoorzienings- en verkoopbureau
p/a LASER, Zuidoost
Slachthuisstraat 71
Postbus 965
6040 AZ Roermond
Tel. (31-475) 35 54 44; telex 56396 VIBNL; fax (31-475) 31 89 39.

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AMA-Agrarmarkt Austria
Dresdner Straße 70
A-1201 Wien
Tel.: (43-1) 33 15 12 20; Telefax: (43-1) 33 15 1297

SUOMI/FINLAND:

Ministry of Agriculture and Forestry
Department of Agriculture Policy
Mariankatu 23, PO Box 232
FIN-00171 Helsinki
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Vallgatan 8
S-551 82 Jönköping
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Kings House
33 Kings Road
Reading RG1 3BU
Berkshire
Tel.: (01189) 58 36 26
Telefax (01189) 56 67 50

COMMISSION REGULATION (EC) No 1117/97

of 19 June 1997

amending Regulation (EC) No 1588/94 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Europe Agreements between the Community of the one part and Bulgaria and Romania of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3383/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3382/94 of 19 December 1994 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3066/95 of 22 December 1995 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on Agriculture concluded during the Uruguay Round Multilateral Trade Negotiations⁽³⁾, as last amended by Regulation (EC) No 2490/96⁽⁴⁾, and in particular Article 8 thereof,

Whereas Article 4 (1) of Commission Regulation (EC) No 1588/94⁽⁵⁾, as last amended by Regulation (EC) No 579/97⁽⁶⁾, stipulates that licence applications may only be lodged in the first 10 days of each quarter;

Whereas, in order to permit the application from 1 July 1997 of the results of the negotiations on the Additional Protocols to the Europe Agreements as regards the agricultural sector, in anticipation of the entry into force of the Additional Protocols themselves, Regulation (EC) No 3066/95 should be amended; whereas the Council is unlikely to have decided on the proposed amendment before 1 July 1997; whereas, therefore, because of the exceptional circumstances and in order to guarantee proper administration of the arrangements, the period for the lodging of licence applications for the third quarter of 1997 should be put back by 15 days;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (1) of Regulation (EC) No 1588/94, the last subparagraph is replaced by the following:

'However, for the three months from 1 July to 30 September 1997, licence applications may only be lodged during a period of 10 days commencing on 15 July.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 368, 31. 12. 1994, p. 5.

⁽²⁾ OJ No L 368, 31. 12. 1994, p. 1.

⁽³⁾ OJ No L 328, 30. 12. 1995, p. 31.

⁽⁴⁾ OJ No L 338, 28. 12. 1996, p. 13.

⁽⁵⁾ OJ No L 167, 1. 7. 1994, p. 8.

⁽⁶⁾ OJ No L 87, 2. 4. 1997, p. 8.

COMMISSION REGULATION (EC) No 1118/97
of 19 June 1997

fixing, in respect of the 1996/97 marketing year, actual production of unginned cotton and the amount by which the guide price is to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95⁽¹⁾,

Having regard to Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol 4 annexed to the Act of Accession of Greece⁽²⁾, as last amended by Regulation (EC) No 1553/95, and in particular Article 2 (3) and (4) thereof,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81⁽³⁾, as amended by Regulation (EC) No 1584/96⁽⁴⁾, and in particular Article 9 thereof,

Whereas Article 9 of Regulation (EC) No 1554/95 provides that actual production in each marketing year is to be determined each year, account being taken in particular of the quantities for which aid has been requested; whereas application of this criterion results in actual production, in respect of the 1996/97 marketing year, being established at the level set out hereafter;

Whereas Article 2 (3) of Regulation (EEC) No 1964/87 provides that if actual production determined for Greece and Spain exceeds the guaranteed maximum quantity the guide price is to be reduced in each Member State where production exceeds its guaranteed national quantity; whereas the calculation of the said reduction varies depending on whether the guaranteed national quantity is exceeded both in Spain and Greece or only in one of those Member States; whereas, in the case under consideration, the overrun occurs both in Greece and in Spain;

whereas, therefore, under the rules laid down in Article 6 (a) of Regulation (EC) No 1554/95, actual production in excess of the guaranteed national quantity is to be calculated in each Member State as a percentage of the guaranteed national quantity of that Member State, and the guide price is to be reduced by a percentage equal to half the percentage excess;

Whereas Article 2 (4) of Regulation (EEC) No 1964/87 provides for an increase in aid, if certain conditions are fulfilled, in each Member State where actual production exceeds its guaranteed national quantity; whereas the aforementioned conditions are not fulfilled for the 1996/97 marketing year;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1996/97 marketing year, actual production of unginned cotton is fixed at 1 227 871 tonnes, of which 927 650 tonnes for Greece and 300 221 tonnes for Spain.
2. The amount by which the guide price is to be reduced for the 1996/97 marketing year is fixed at:
 - ECU 9,886/100 kg for Greece,
 - ECU 10,949/100 kg for Spain.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 148, 30. 6. 1995, p. 45.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽³⁾ OJ No L 148, 30. 6. 1995, p. 48.

⁽⁴⁾ OJ No L 206, 16. 8. 1996, p. 16.

COMMISSION REGULATION (EC) No 1119/97

of 19 June 1997

amending Regulations (EC) No 411/97 and (EC) No 412/97 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards fixing a transitional time limit for 1997

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 57 thereof,

Whereas Article 15 of Commission Regulation (EC) No 411/97 of 3 March 1997 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational programmes, operational funds and Community financial assistance⁽²⁾ lays down the transitional provisions applicable to 1997 with regard to the submission and approval of proposed operational programmes; whereas paragraph 2 of that Article stipulates that the competent national authority must take a decision on proposals submitted within three months; whereas, in certain exceptional cases, that time limit may prove insufficient and put interested producer organizations at a disadvantage; whereas, therefore, in the interests of the latter, Member States should be given the opportunity to extend that time limit by two months in duly justified cases;

Whereas Article 12 (1) (a) of Regulation (EC) No 2200/96 fixes at three months the time limit for a decision by the Member States on applications for recognition presented by producer organizations; whereas, in certain exceptional cases likely to occur during the first year of application of that provision, the time limit may prove insufficient and put interested producer organizations at a disadvantage; whereas it is in the interests of the latter to allow Member States, in duly justified cases, to extend, as an exceptional measure for 1997, that time limit by two months; whereas, therefore, it is necessary to introduce a transitional measure into Commission Regulation (EC) No 412/97 of 3 March 1997 laying down detailed rules for the applica-

tion of Council Regulation (EC) No 2200/96 as regards the recognition of producer organizations⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Article 15 (2) of Regulation (EC) No 411/97 is hereby replaced by the following:

'2. Within three months the competent national authority shall take a decision on proposals submitted. Member States, acting in the interests of the producer organizations concerned, may extend that time limit by two months in duly justified cases. Proposals for operational programmes submitted by producer organizations which do not receive recognition shall be rejected automatically.'

Article 2

The following Article 9a is inserted after Article 9 in Regulation (EC) No 412/97:

'Article 9a

As a transitional measure for 1997, Member States, acting in the interests of the producer organizations concerned, may, in duly justified cases, extend by two months the time limit referred to in Article 12 (1) (a) of Regulation (EC) No 2200/96.'

Article 3

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ No L 62, 4. 3. 1997, p. 9.

⁽³⁾ OJ No L 62, 4. 3. 1997, p. 16.

COMMISSION REGULATION (EC) No 1120/97
of 19 June 1997
fixing export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 35 (11) thereof,

Whereas Commission Regulation (EC) No 2190/96⁽²⁾, as last amended by Regulation (EC) No 610/97⁽³⁾, lays down detailed rules on export refunds on fruit and vegetables;

Whereas Article 35 (1) of Council Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds;

Whereas Article 35 (4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand; whereas account must also be taken of the costs referred to in Article 26 (4) (b) of that Regulation and of the economic aspect of the exports planned;

Whereas, pursuant to Article 35 (1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas, in accordance with Article 35 (5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint; whereas international trade

prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph;

Whereas the international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination;

Whereas tomatoes, lemons, oranges, peaches and nectarine, apples of classes Extra, I and II of the common quality standards, table grapes of classes Extra and I, shelled almonds, hazelnuts and walnuts in shell can currently be exported in economically significant quantities;

Whereas the representative market rates as defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, are used to convert amounts expressed in currencies of third countries and provide the basis for determining the agricultural conversion rates for the Member States' currencies; whereas rules for determining and applying those conversion rates are laid down in Commission Regulation (EEC) No 1068/93⁽⁶⁾, as last amended by Regulation (EC) No 1482/96⁽⁷⁾;

Whereas the application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto;

Whereas, pursuant to Article 35 (2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements; whereas, for those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product;

Whereas Commission Regulation (EEC) No 3846/87⁽⁸⁾, as last amended by Regulation (EC) No 2230/96⁽⁹⁾, establishes an agricultural product nomenclature for export refunds;

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 1.

⁽²⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽³⁾ OJ No L 93, 8. 4. 1997, p. 16.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 188, 27. 7. 1996, p. 22.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 305, 27. 11. 1996, p. 1.

Whereas, owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations and consequently refunds under the A1 and A2 licence arrangements referred to in Article 1 of Regulation (EC) No 2190/96 should not be fixed simultaneously for the export period in question;

Whereas account should be taken of the definitive rates under the A2 system fixed for the preceding licence application period;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

2. Quantities covered by licences issued for food aid as referred to in Article 14a of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, as last amended by Regulation (EC) No 495/97 ⁽²⁾, laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products shall not count against the eligible quantities covered by paragraph 1.

3. Without prejudice to the application of Article 4 (5) of Regulation (EC) No 2190/96, the term of validity of A1 and A2 licences shall be three months.

Article 2

This Regulation shall enter into force on 24 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 77, 19. 3. 1997, p. 12.

ANNEX

EXPORT REFUNDS ON FRUIT AND VEGETABLES

Product (Full definitions of eligible products are given in the 'Fruit and vegetables' section of Commission Regulation (EEC) No 3846/87 amended)	Product code	A1 applications from 24. 6. 1997 to 9. 9. 1997			A2 applications from 25. 6. 1997 to 27. 6. 1997			B Export period from 1. 7. 1997 to 16. 9. 1997		
		Destination or destination group (1)	Refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)	Destination or destination group (1)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)
Tomatoes	0702 00 15 9100 0702 00 20 9100 0702 00 25 9100 0702 00 30 9100 0702 00 35 9100 0702 00 40 9100 0702 00 45 9100 0702 00 50 9100	F	35		F	35	3 591	F	35	3 591
Shelled almonds	0802 12 90 9000	F	75	298				F	75	298
Hazelnuts in shell	0802 21 00 9000	F	88	152				F	88	152
Shelled hazelnuts	0802 22 00 9000	F	171	936				F	171	936
Walnuts in shell	0802 31 00 9000	F	110	72				F	110	72
Oranges	0805 10 01 9200 0805 10 05 9200 0805 10 09 9200 0805 10 11 9200 0805 10 15 9200 0805 10 19 9200 0805 10 21 9200 0805 10 25 9200 0805 10 29 9200 0805 10 31 9200 0805 10 33 9200 0805 10 35 9200 0805 10 37 9200 0805 10 38 9200 0805 10 39 9200 0805 10 42 9200 0805 10 44 9200 0805 10 46 9200 0805 10 51 9200 0805 10 55 9200 0805 10 59 9200 0805 10 61 9200 0805 10 65 9200 0805 10 69 9200	XYC	80		XYC	80	1 000	XYC	80	1 000
Lemons	0805 30 20 9100 0805 30 30 9100 0805 30 40 9100	F	105		F	105	5 000	F	105	5 000

Product (Full definitions of eligible products are given in the 'Fruit and vegetables' section of Commission Regulation (EEC) No 3846/87 amended)	Product code	A1 applications from 24. 6. 1997 to 9. 9. 1997			A2 applications from 25. 6. 1997 to 27. 6. 1997			B Export period from 1. 7. 1997 to 16. 9. 1997		
		Destination or destination group (*)	Refund rate (ECU/tonnes net weight)	Scheduled quantity (tonnes)	Destination or destination group (*)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)	Destination or destination group (*)	Indicative refund rate (ECU/tonnes net weight)	Indicative quantity (tonnes)
Table grapes	0806 10 21 9200 0806 10 29 9200 0806 10 30 9200 0806 10 40 9200 0806 10 50 9200 0806 10 61 9200 0806 10 69 9200	F	38		F	38	10 463	F	38	10 463
Apples	0808 10 51 9910	X	30		X	30	1 305	X	30	1 305
	0808 10 53 9910									
	0808 10 59 9910									
	0808 10 61 9910	Y	10		Y	10	1 599	Y	10	1 599
	0808 10 63 9910									
	0808 10 69 9910									
	0808 10 71 9910	ZD	54	1 271				ZD	54	1 271
	0808 10 73 9910									
	0808 10 79 9910									
	0808 10 92 9910									
	0808 10 94 9910									
	0808 10 98 9910									
Peaches and nectarines	0809 30 11 9100 0809 30 19 9100 0809 30 21 9100 0809 30 29 9100 0809 30 31 9100 0809 30 39 9100 0809 30 41 9100 0809 30 49 9100 0809 30 51 9100 0809 30 59 9100	E	39		E	39	5 034	E	39	5 034

(*) The destination codes are defined as follows:

X: Norway, Iceland, Greenland, Faeroes, Poland, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Bosnia-Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta.

Y: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine.

Z: African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia.

C: Switzerland, Czech Republic, Slovakia.

D: Hong Kong, Singapore, Malaysia, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Uruguay, Paraguay, Argentina, Mexico, Costa Rica.

E: All destinations except Switzerland.

F: All destinations.

COMMISSION REGULATION (EC) No 1121/97
of 19 June 1997

setting export refunds on products processed from fruit and vegetables other than those granted for added sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, and in particular Articles 16 (3),

Whereas Commission Regulation (EC) No 1429/95⁽²⁾, as last amended by Regulation (EC) No 1007/97⁽³⁾, sets implementing rules for export refunds on products processed from fruit and vegetables;

Whereas Article 16 (1) of Regulation (EC) No 2201/96 states that, to the extent necessary to permit exports in economically significant quantities of the products referred to in Article 1 (1) (a) of that Regulation, on the basis of prices for those products in international trade, the difference between those prices and prices in the Community may be covered by export refunds; whereas Article 18 (4) of Regulation (EC) No 2201/96 provides that, if the refund on sugar incorporated into the products listed in Article 1 (1) is insufficient to allow export of the products, the refund fixed in accordance with Article 17 is to be applicable to those products;

Whereas Article 17 (2) of Regulation (EC) No 2201/96 states that refunds must be fixed with regard to the existing situation and outlook for prices for products processed from fruit and vegetables on the Community market and supply availability, on the one hand, and prices in international trade on the other hand; whereas account must also be taken of the costs indicated at (b) in that paragraph and of the economic aspect of the envisaged exports;

Whereas refunds are, pursuant to Article 16 (1) of Regulation (EC) No 2201/96, to be set with due regard to the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Article 17 (3) of Regulation (EC) No 2201/96 states that prices on the Community market are to be determined taking account of those most favourable from the exportation standpoint; whereas international trade prices are to be determined account taken of the prices indicated in the second subparagraph of that paragraph;

Whereas the international trade situation or the special requirements of certain markets may make it necessary to vary the refund on a given product depending on the destination of that product;

Whereas economically significant exports can be made at the present time of provisionally preserved cherries, peeled tomatoes, preserved cherries, prepared hazelnuts and some orange juices;

Whereas the representative market rates as defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as last amended by Regulation (EC) No 150/95⁽⁵⁾, are used to convert amounts in third-country currencies and are the basis for determining the agricultural conversion rates of the Member States' currencies; whereas rules for determining and applying these conversion rates were set by Commission Regulation (EEC) No 1068/93⁽⁶⁾, as last amended by Regulation (EC) No 1482/96⁽⁷⁾;

Whereas application of the rules mentioned above to the present and forecast market situation, in particular to prices of products processed from fruit and vegetables in the Community and in international trade, leads to the refund rates set in the Annex hereto;

Whereas, pursuant to Article 16 (2) of Regulation (EC) No 2201/96, the most efficient possible use should be made of the resources available without creating discrimination between traders; whereas, therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements;

⁽¹⁾ OJ No L 297, 21. 11. 1996, p. 29.

⁽²⁾ OJ No L 141, 24. 6. 1995, p. 28.

⁽³⁾ OJ No L 145, 5. 6. 1997, p. 16.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 22, 31. 1. 1995, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 188, 27. 7. 1996, p. 22.

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refund rates and quantities eligible for refunds in the processed fruit and vegetables sector shall be those fixed in the Annex hereto.

2. Quantities for which licences are issued in the context of food aid, as referred to in Article 14a of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾, as last amended by Regulation (EC) No 495/97⁽²⁾, shall not count against the eligible quantities referred to in the first paragraph.

Article 2

This Regulation shall enter into force on 24 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 77, 19. 3. 1997, p. 12.

ANNEX

Product (The full definitions of the eligible products are given in the 'processed fruit and vegetables' sector of amended Commission Regulation (EEC) No 3846/87, as amended)		Product code	Destination code ⁽¹⁾	Licence issuing period July to October 1997	
				Period for submission of applications: from 24 June to 23 October 1997	
				Refund rate (ECU/tonne net)	Quantities provided (in tonnes)
Provisionally preserved cherries		0812 10 00 9100	A	92,0	3 022
Peeled tomatoes		2002 10 10 9100	B	68,0	44 375
Preserved cherries		2006 00 31 9000 2006 00 99 9100	A	209,0	700
Prepared hazelnuts		2008 19 19 9100 2008 19 99 9100	C	99,0	405
Orange juice	With a sugar content of not less than 10° Brix, but less than 22° Brix	2009 11 99 9110 2009 19 99 9110	C	9,0	353
	With a sugar content of not less than 55° Brix	2009 11 99 9150 2009 19 99 9150	C	48,0	354

⁽¹⁾ The destinations codes are defined as follows:

- A: All destinations except the countries of North America,
- B: All destinations except the United States of America,
- C: All destinations.

COMMISSION REGULATION (EC) No 1122/97

of 19 June 1997

fixing the maximum export refund on wholly milled long grain rice in
connection with the invitation to tender issued in Regulation (EC) No 530/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 530/97 ⁽²⁾;

Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 530/97 is hereby fixed on the basis of the tenders submitted from 16 to 19 June 1997 at ECU 384 per tonne.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 82, 22. 3. 1997, p. 48.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 1123/97**of 19 June 1997****fixing the maximum subsidy on exports of husked long grain rice to Réunion
pursuant to the invitation to tender referred to in Regulation (EC) No 531/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 10 (1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽²⁾, and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EC) No 531/97 ⁽³⁾ opens an invitation to tender for the subsidy on rice exported to Réunion;

Whereas Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy;

Whereas the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into

account when fixing this maximum subsidy; whereas successful tenderers shall be those whose bids are at or below the level of the maximum subsidy;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 16 to 19 June 1997 at ECU 314 per tonne pursuant to the invitation to tender referred to in Regulation (EC) No 531/97.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 261, 7. 9. 1989, p. 8.

⁽³⁾ OJ No L 82, 22. 3. 1997, p. 50.

COMMISSION REGULATION (EC) No 1124/97**of 19 June 1997****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 1629/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1629/96 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1629/96 is hereby fixed on the basis of the tenders submitted from 16 to 19 June 1997 at ECU 315 per tonne.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 204, 14. 8. 1996, p. 6.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 1125/97

of 19 June 1997

fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 1630/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1630/96 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1630/96 is hereby fixed on the basis of the tenders submitted from 16 June to 19 June 1997 at ECU 295 per tonne.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 204, 14. 8. 1996, p. 9.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 1126/97**of 19 June 1997****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 1631/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1631/96 ⁽²⁾;

Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the rice in question

results in the maximum export refund being fixed at the amount specified in Article 1;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1631/96 is hereby fixed on the basis of the tenders submitted from 16 to 19 June 1997 at ECU 315 per tonne.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 204, 14. 8. 1996, p. 12.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 1127/97
of 19 June 1997

on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 1035/72 as regards export refunds on fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 610/97⁽²⁾, and in particular Article 5 (5) thereof,

Whereas Commission Regulation (EC) No 687/97⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid;

Whereas, in the light of the information available to the Commission today, the indicative quantity laid down for the current export period for shelled almonds indicate there is a risk that the quantity will shortly be exceeded; whereas this overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

Whereas, to avoid this situation, applications for system B licences for shelled almonds exported after 19 June 1997 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B licences for shelled almonds submitted pursuant to Article 1 of Regulation (EC) No 687/97, export declarations for which are accepted after 19 June 1997 and before 1 July 1997, are hereby rejected.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 292, 15. 11. 1996, p. 12.

⁽²⁾ OJ No L 93, 8. 4. 1997, p. 16.

⁽³⁾ OJ No L 102, 19. 4. 1997, p. 4.

COMMISSION REGULATION (EC) No 1128/97

of 19 June 1997

establishing the standard import values for determining the entry price of
certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Community,

Having regard to Commission Regulation (EC) No
3223/94 of 21 December 1994 on detailed rules for the
application of the import arrangements for fruit and vege-
tables⁽¹⁾, as last amended by Regulation (EC) No
2375/96⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92
of 28 December 1992 on the unit of account and the
conversion rates to be applied for the purposes of the
common agricultural policy⁽³⁾, as last amended by Regu-
lation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3)
thereof,

Whereas Regulation (EC) No 3223/94 lays down,
pursuant to the outcome of the Uruguay Round multila-
teral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third
countries, in respect of the products and periods stipu-
lated in the Annex thereto;

Whereas, in compliance with the above criteria, the
standard import values must be fixed at the levels set out
in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of
Regulation (EC) No 3223/94 shall be fixed as indicated in
the Annex hereto.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 325, 14. 12. 1996, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 19 June 1997 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0709 90 77	052	82,8
	999	82,8
0805 30 30	388	69,1
	528	63,4
	999	66,3
	388	87,5
0808 10 61, 0808 10 63, 0808 10 69	400	88,0
	404	76,7
	508	83,2
	512	70,7
	524	93,2
	528	76,5
	804	87,9
	999	83,0
	052	195,3
	066	104,0
0809 20 49	400	198,6
	616	93,7
	999	147,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1129/97
of 19 June 1997
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽¹⁾, and in particular the second subparagraph of Article 13 (3) thereof,

Whereas Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 (4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76⁽²⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 13 (5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 June 1997.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 June 1997.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ No L 154, 15. 6. 1976, p. 11.

ANNEX

to the Commission Regulation of 19 June 1997 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	—	1006 30 65 9900	01	—
1006 20 13 9000	01	—		04	—
1006 20 15 9000	01	—	1006 30 67 9100	—	—
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	—	1006 30 92 9100	01	—
1006 20 94 9000	01	—		02	—
1006 20 96 9000	01	—		03	—
1006 20 98 9000	—	—		04	—
1006 30 21 9000	01	—	1006 30 92 9900	01	—
1006 30 23 9000	01	—		04	—
1006 30 25 9000	01	—		—	—
1006 30 27 9000	—	—	1006 30 94 9100	01	—
1006 30 42 9000	01	—		02	—
1006 30 44 9000	01	—		03	—
1006 30 46 9000	01	—		04	—
1006 30 48 9000	—	—	1006 30 94 9900	01	—
1006 30 61 9100	01	—		04	—
	02	—		—	—
	03	—	1006 30 96 9100	01	—
	04	—		02	—
1006 30 61 9900	01	—		03	—
	04	—		04	—
1006 30 63 9100	01	—	1006 30 96 9900	01	—
	02	—		04	—
	03	—		—	—
	04	—	1006 30 98 9100	—	—
1006 30 63 9900	01	—	1006 30 98 9900	—	—
	04	—	1006 40 00 9000	—	—
1006 30 65 9100	01	—			
	02	—			
	03	—			
	04	—			

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

II

(Acts whose publication is not obligatory)

COUNCIL

PROTOCOL

fixing, for the period 1 December 1996 to 30 November 1999, the fishing opportunities and the financial consideration provided for in the Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters ⁽¹⁾

Article 1

1. Pursuant to Article 2 of the Agreement, and for a period of three years from 1 December 1996, the following fishing possibilities shall be accorded:

- for ocean-going tuna seiners: licences for 43 vessels,
- for vessels fishing by line (except tuna trollers and tuna surface longliners): licences for 100 GRT/month on an annual average.

2. Furthermore, fishing licences may also be granted for tuna trollers and surface tuna longliners.

3. These fishing possibilities may, at the Community's request, be increased by the Joint Committee referred to in Article 8 of the Agreement.

Article 2

1. The financial compensation referred to in the Agreement for the abovementioned period is fixed at ECU 1 218 750, payable in three annual instalments.

2. In the case of tuna fishing, this compensation shall cover a catch weight in waters of Mauritius of 7 500 tonnes of tuna fished per year. If the annual amount of tuna caught by Community vessels in Mauritian waters exceeds this quantity, the abovementioned compensation shall be increased by ECU 50 for each additional tonne caught.

3. The use to which this compensation is put shall be the sole competence of Mauritius.

4. The financial compensation shall be paid into an account opened at a financial institution or other body designated by Mauritius.

Article 3

1. The Community shall also pay a contribution of ECU 418 000 towards the financing of scientific and technical programmes (equipment, infrastructure, etc.) in order to improve knowledge of fish stocks and fisheries in general.

2. The competent authorities of Mauritius shall send to the Commission a brief report on the utilization of the funds.

3. The Community's contribution to the scientific and technical programmes shall be paid into an account specified by the authorities of Mauritius.

Article 4

The two parties hereby agree that an essential condition for the success of their cooperation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the Community will assist Mauritian nationals in finding places in establishments in its Member States or States with which it has concluded cooperation agreements and will make available an amount of ECU 110 000 for study or practical training awards with a maximum duration of five years in the various scientific, technical and economic subjects relating to fisheries. Of this amount, up to ECU 30 000 may be used, at the request of the Mauritian authorities, to cover the cost of attending international meetings relating to fisheries.

Article 5

Should the Community fail to make the payments specified in Articles 2 and 3, the Agreement may be suspended.

⁽¹⁾ See Decision 97/313/EC (OJ No L 135, 27. 5. 1997, p. 5).

Article 6

The Annex to the Agreement is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol with its Annex shall enter into force on the date of its signature.

It shall apply from 1 December 1996.

ANNEX

Conditions for the pursuit of fishing activities by Community vessels in Mauritian waters**1. LICENCE APPLICATION AND ISSUING FORMALITIES**

The application procedure for, and issue of, the licences enabling Community vessels to fish in the waters of Mauritius shall be as follows:

- (a) Through its representative in Mauritius, the European Commission shall present to the authorities of Mauritius an application for each vessel, made by the shipowner, wishing to fish under this Agreement, at least 20 days before the date of commencement of the period of validity requested. The application shall be made on the form provided for that purpose by Mauritius, a specimen of which is annexed hereto.
- (b) Every licence shall be issued to the shipowner for a designated vessel. At the request of the European Commission the licence for one vessel may and, in cases of *force majeure* shall, be replaced by a licence for another Community vessel.
- (c) The licences shall be delivered by the authorities of Mauritius to the representative of the European Commission in Mauritius.
- (d) The licence document must be held on board at all times. However, on receipt of the notification of the advance payment sent by the European Commission to the Mauritian authorities, the vessel will be included on a list, which is notified to the Mauritian fisheries control authorities. Whilst awaiting receipt of the licence document, a fax copy of this licence document may be obtained; this copy shall be kept on board and authorizes the vessel to fish, pending delivery on board of the original licence document.
- (e) The authorities of Mauritius shall communicate before the date of entry into force of the Agreement the arrangements for the payment of the licence fees, and in particular the details of the bank account and the currency to be used.

2. VALIDITY OF LICENCES AND PAYMENT PROVISIONS FOR TUNA VESSELS

- (a) Licences shall be valid for a period of one year. They are renewable.
- (b) For tuna seiners, the fees shall be set at ECU 20 per tonne caught within Mauritian waters. Applications for licences for tuna vessels shall be issued following advance payment to Mauritius of a lump sum of ECU 1 000 a year for each tuna seiner, equivalent to the fees for 50 tonnes of tuna caught within Mauritian waters per year.
- (c) For small tuna trollers and surface tuna longliners mentioned in Article 1 of the Protocol, the licence fee is fixed at ECU 20 per tonne caught in Mauritian waters. The licences shall be issued following advance payment to Mauritius of a lump sum of ECU 500 per year per vessel, equivalent to the fees due for 25 tonnes of tuna caught in Mauritian waters per year.
- (d) A provisional statement of the fees due for the fishing year shall be drawn up by the European Commission at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the authorities of Mauritius and the European Commission. The corresponding amount shall be paid by the shipowners to the Treasury of Mauritius no later than 31 March of the following year. The final statement of the fees due in respect of a fishing year shall be drawn up by the European Commission, taking into account available scientific opinion and any statistical data which can be gathered by Orstom, the Spanish Oceanographic Institute and any international fishing organizations in the Indian Ocean. The shipowners shall be notified by the European Commission of the statement and shall have 30 days in which to meet their financial obligations. If the amount of the sum due for actual fishing operations is less than the advance payment, the corresponding outstanding sum shall not be recoverable by the shipowner.

3. VALIDITY OF LICENCES AND PAYMENT PROVISIONS FOR OTHER VESSELS

For vessels fishing by line (except tuna trollers and tuna surface longliners), licences shall be valid for three, six or 12 months. The annual fees shall be fixed in relation to the GRT as follows: ECU 60 per GRT *pro rata temporis*.

4. OBSERVERS

All vessels above 50 GRT shall, at the request of the authorities of Mauritius, take on board an observer designated by these authorities in order to check catches made in Mauritian waters. Observers shall have all facilities necessary for the performance of this duty including access to places and documents. An observer must not be present for longer than the time required to fulfil his duties. They shall be provided with suitable food and accommodation while on board. Should a vessel with a Mauritian observer on board leave Mauritian waters, every step will be taken to ensure that the observer returns to Mauritius as soon as possible, at the shipowner's expense.

5. RADIO COMMUNICATION AND REPORTING

Vessels above 50 GRT shall communicate, when entering and leaving Mauritian waters, and, every three days, while fishing in Mauritian waters, to a radio station (the name, call sign and frequency of which shall be specified in the licence) or by fax (No 23 02 08 19 29), their position and the volume of catches on board.

The captains of all vessels including vessels fishing by line shall complete a fishing report form which will indicate the date, the vessel's position, and the quantity and species of fish caught. Tuna vessels shall also provide the number of sets and the quantity of tuna caught per species. These forms shall be forwarded to the authorities of Mauritius not later than three weeks after each fishing campaign. However, in the case of vessels fishing by line, tuna trollers and tuna surface longliners, these reports shall be sent not later than one month after the end of each quarter.

6. FISHING ZONES

Tuna seiners, tuna trollers and tuna surface longliners may fish in Mauritian waters except within a distance of 12 nautical miles measured from the baseline. Vessels fishing by line are only authorized to fish in their traditional grounds, namely Soudan Bank and East Soudan Bank.

7. SUPPLY TO THE TUNA CANNING INDUSTRY

Community tuna vessels shall endeavour to sell part of their catch to the Mauritian tuna canning industry at a price to be fixed in common agreement between Community shipowners and the owners of the Mauritian tuna canning industry.

APPLICATION FOR A FOREIGN FISHING VESSEL LICENCE

Name of applicant:

Address of applicant:

Name and address of charterers of vessel if different from above:

.....

Name and address of agent in Mauritius (if any):

Name of vessel:

Type of vessel:

Country of registry:

Port and registration number:

Fishing vessel external identification:

Radio call sign and frequency:

Fax No of vessel:

Length of vessel:

Width of vessel:

Engine type and power:

Gross registered tonnage of vessel:

Net registered tonnage of vessel:

Minimum crew complement:

Type of fishing practised:

Proposed species of fish:

Period of validity requested:

I certify that the above particulars are correct.

Date:

Signature:
